

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of ONEOK Energy) Application No. NG-0017
Marketing Company, Topeka,)
Kansas, seeking authority as a) APPLICATION GRANTED
competitive natural gas provider)
in the state of Nebraska.) Entered: April 27, 2004

BY THE COMMISSION:

By application filed December 30, 2003, OneOK Energy Marketing Company (OEMC or Applicant), Topeka, Kansas, seeks authority, including temporary authority, as a competitive natural gas provider (CNGP) in the state of Nebraska. Notice of the application was published in the Daily Record, Omaha, Nebraska, on January 1, 2004. Pursuant to an order entered January 13, 2004, OEMC was granted temporary authority as a CNGP to operate under the Kinder Morgan Choice Gas Program until December 31, 2004.

OEMC is authorized to do business in Nebraska, and provided a copy of its Certificate of Authority to Transact Business in Nebraska. In its application, OEMC states that it is an affiliate of Seminole Energy Services, and is an Oklahoma limited liability company. OEMC has not had any legal action or formal complaints pertaining to the provision of competitive natural gas services filed against the company within the 12 months prior to filing this application, nor has it had a license or certificate to supply competitive natural gas services revoked, denied or withdrawn.

In support of its application, OEMC submitted a copy of its Form 10-Q Quarterly Report filed with the United States Security and Exchange Commission for the quarterly period ended September 30, 2003.

In addition, OEMC submitted the biographies of the members of its management team: Greg Ingenthron - Vice President, Retail Marketing; and Stacy Hower - Manager of Transportation and Support Services. The biographies detailed the educational and professional background of each individual.

Commission Staff Accountant Steve Stovall submitted an affidavit attesting that the financial statements submitted provide evidence of adequate financial resources necessary to obtain and deliver the services Applicant proposes to offer. Because no protests or petitions for intervention were filed, the Commission finds that this application may be properly processed pursuant to Commission Rules of Procedure, 291 Neb. Admin. Code, Ch. 1, Rule 018.3.

The Commission finds that it has jurisdiction pursuant to Neb. Rev. Stat. §§ 66-1848 to 66-1849 (2003 Supp.). Section 66-1849 provides in part:

The commission shall certify all competitive natural gas providers and aggregators providing natural gas services. In an application for certification, a competitive natural gas provider or aggregator shall reasonably demonstrate managerial, technical, and financial capability sufficient to obtain and deliver the services such provider or aggregator proposes to offer. The commission may establish reasonable conditions or restrictions on the certificate at the time of issuance.

The Commission finds that the application of OEMC should be granted, and that OEMC should be issued a certificate of authority as a competitive natural gas provider.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the application is hereby, granted.

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of April, 2004.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director